

DEC 08 2004

***Via Facsimile: (703) 872-9306***

9D-EC-19335  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Timothy Jay Smith, et al.	:	
	:	Art Unit: 3629
Serial No.: 09/475,961	:	
	:	Examiner: Richard S. Woo
Filed: December 30, 1999	:	
	:	
For: DELIVERY MANAGEMENT	:	
SYSTEM	:	

**AFTER FINAL AMENDMENT**

Mail Stop: AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In response to the Office Action dated October 8, 2004, made final, Applicants respectfully request consideration and entry of the following amendment:

DEC 08 2004

**ARMSTRONG TEASDALE LLP**

One Metropolitan Square, Suite 2600  
St. Louis, Missouri 63102-2740  
Phone: (314) 621-5070  
Fax: (314) 621-5065  
www.armstrongteasdale.com

**CERTIFICATE OF FACSIMILE TRANSMISSION TO THE  
UNITED STATES PATENT AND TRADEMARK OFFICE**

**DATE:** December 8, 2004

**TO: Examiner: Richard S. Woo** : **RE: U.S. Patent Application**  
**Art Unit: 3629** : **Serial No.: 09/475,961**  
**Fax: (703) 872-9306** : **Applicant: Smith et al.**  
**From: Thomas M. Fisher** : **Atty. Dkt. No.: 9D-EC-19335**

**DOCUMENTS SUBMITTED WITH TRANSMISSION:**

- **Amendment in Response to Final Office Action dated October 8, 2004 (18 pgs.)**
  - **Amendment Transmittal (3 pgs.)**
  - **Certificate of Facsimile Transmission (1 pg.)**


**Total pages including cover page: 22**

**If all pages are not received, please contact: Michele at Ext. 7321**

**RE: The above referenced U.S. Patent Application**  
**Title: DELIVERY MANAGEMENT SYSTEM**  
**Filed: December 30, 1999**  
**AT File No. 13307/209**

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that these papers are being facsimile transmitted to the U.S. Patent and Trademark Office, Facsimile Number (703) 872-9306 on the date shown above.

  
Thomas M. Fisher, Reg. No.: 47,564

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002/022

DEC 08 2004

PATENT  
Attorney Docket No.: 9D-EC-19335

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Timothy Jay Smith, et al. :  
Serial No.: 09/475,961 : Art Unit: 3629  
Filed: December 30, 1999 : Examiner: Richard S. Woo  
For: DELIVERY MANAGEMENT :  
SYSTEM :

Mail Stop: AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

1. Transmitted herewith is: Amendment in Response to Final Office Action dated 10/08/2004 (18 pgs.); and Certificate of Transmission Via Facsimile (1 pg.)

## STATUS

2. Applicant  
  X   claims small entity status.  
  X   is other than a small entity.

## CERTIFICATE OF MAILING/TRANSMISSION

CERTIFICATE OF MAILING BY EXPRESS MAIL TO  
THE COMMISSIONER FOR PATENTSFACSIMILE

Express Mail No.:

Date:

I hereby certify that the documents listed above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above in an envelope addressed to: Mail Stop: Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: December 8, 2004

  X   transmitted by facsimile to the Patent and Trademark Office

Via Facsimile: (703) 872-9306

Thomas M. Fisher  
Reg No.: 47,564

**EXTENSION OF TERM**

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

(complete (a) or (b), as applicable)

- (a) \_\_\_\_\_ Applicant petitions for an extension of time under 37 C.F.R. 1.136  
(Fees: 37 C.F.R. 1.17(a)-(d) for the total number of months checked below:)

Extension for response within:	Other than small entity Fee	Small entity Fee (if applicable)
_____ first month	\$ 110.00	\$ 55.00
_____ second month	\$ 430.00	\$ 215.00
_____ third month	\$ 980.00	\$ 490.00
_____ fourth month	\$1,530.00	\$ 765.00
_____ fifth month	\$2,080.00	\$1,040.00

Fee: \$ \_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

\_\_\_\_\_ An extension of \_\_\_\_\_ months has already been secured. The fee paid therefor \$ \_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$ \_\_\_\_\_

OR

- (b)   X   Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NO. PREVIOUSLY PAID FOR	(Col. 3) PRESENT EXTRA	SMALL ENTITY ADDITIONAL RATE FEE	OR	OTHER THAN SMALL ENTITY ADDITIONAL RATE FEE
TOTAL		MINUS		=	x \$9 = \$		x \$18 = \$
INDEP.		MINUS		=	x \$43 = \$		x \$86 = \$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$145 = \$		+ \$290 = \$
					TOTAL ADDITIONAL FEE \$	OR	TOTAL ADDITIONAL FEE \$

- (a)
- X
- No additional fee for Claims is required

**OR**

- (b) \_\_\_\_\_ Total additional fee for claims required \$

**FEE PAYMENT**

5. \_\_\_\_\_ Attached is a check in the sum of \$\_\_\_\_\_
- \_\_\_\_\_ Charge Deposit Account No. 01-2384 the sum of \$\_\_\_\_\_.
- A duplicate of this transmittal is attached.

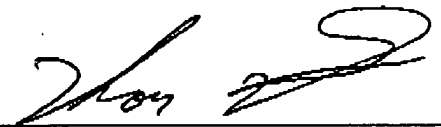
**FEE DEFICIENCY**

- 6.
- X
- If any additional extension and/or fee is required, charge Deposit Account No. 01-2384.

**AND/OR**

- X
- If any additional fee for claims is required, charge Deposit Account No. 01-2384.

7. \_\_\_\_\_ Other:

  
 Thomas M. Fisher  
 Reg. No.: 47,564  
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 314/621-5070